

PRIA LOCAL

DECEMBER 2021



Racial Covenants, a Relic of the Past, are Still on the Books Across the Country

excerpted from NPR 11/17/21

Inga Selders, a city council member in a suburb of Kansas City, wanted to know if there were provisions preventing homeowners from legally having backyard chickens. So she combed through deeds in the county recorder's office for two days looking for specific language. At one point, she stumbled across some language, but it had nothing to do with chickens.

"I heard the rumors, and there it was," Selders recalled. "It was disgusting. It made my stomach turn to see it there in black-and-white."

What Selders found was a racially restrictive covenant in the Prairie Village Homeowners Association property records that says, "None of said land may be conveyed to, used, owned, or occupied by negroes as owners or tenants." The covenant applied to all 1,700 homes in the homeowner's association.

The racially restrictive covenant that Selders uncovered can be found on the books in nearly every state in the U.S., according to an examination by NPR, KPBS, St. Louis Public Radio, WBEZ and INEWSOURCE, a nonprofit investigative journalism site.

Although the Supreme Court ruled the covenants unenforceable in 1948 and although the passage of the 1968 Fair Housing Act outlawed them, the hurtful, offensive language still exists — an ugly reminder of the country's racist past. ([Read complete article.](#))



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PRIA Local News

[Happy holiday season and end of 2021!](#)

It's been another interesting year of challenges for us all. We want to sincerely thank all of our PRIA Local Chapter attendees and co-chairs for all you've done this year and for keeping communication open between business and government.

While there have been fewer in-person Chapter meetings during the pandemic, many Chapters have done a great job incorporating virtual meetings and contacting their attendees in a variety of creative ways to keep everyone in touch. We commend you for

the collaboration going that PRIA and PRIA Local are known for.

Enjoy the season and we look forward to another good year together in 2022.

Recent PRIA Local Chapter Meetings:

Review the agenda and minutes for the PRIA Local Chapter meeting that was held the last month.

- **Metro Minnesota Chapter** met on December 2, 2021

Please feel free to contact any of the **PRIA Local Chapter co-chairs** on their website pages if you want to find out more details about their Chapters, why and how they started them, and what they think the benefits are to having a Chapter.

PRIA Local Challenge:

We're happily extending the PRIA Local Challenge into 2022. That means that anyone starting or re-starting a **PRIA Local Chapter** in their area and holding at least one meeting will receive a **PRIA membership** to the Chapter to give to a non-member chapter participant. We know you'll be delighted with the outcome and, of course, we hope you continue to meet. We will help you with possible agendas, direct feedback from other chapter co-chairs, materials and even speakers and topic suggestions. **Contact us** and we'll help you get started.

We've had two new chapters take advantage of this offer: **East Central Missouri** and the **Heart of Iowa** Chapters both started chapters this year and both received the free annual PRIA membership.

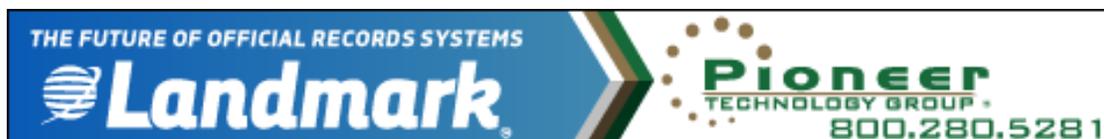


Looking Deeper into Discriminatory Lending Patterns

excerpted from Mortgage Report 11/20/21

The Consumer Financial Protection Bureau (CFPB) has announced the issuance of a Request for Information (RFI) to seek input on rules implementing the Home Mortgage Disclosure Act (HMDA). The CFPB's evaluation will strengthen its ability to maintain a fair, competitive, and non-discriminatory mortgage market.

The CFPB finalized changes to the HMDA regulations in 2015, expanding the types of data reported by lenders to monitor fair lending compliance. The 2015 rule also improved the HMDA reporting process by aligning requirements with industry data standards, enhancing tech interface, and easing requirements for some small banks and credit unions. (**Read complete article.**)



What Happened with Blockchain in Government?

excerpted from State Scoop 11/23/21

When cryptocurrency entered the public consciousness several years ago, many seemed

to believe that blockchain, the distributed-ledger technology underpinning it, would soon be everywhere, including government. Officials began launching blockchain initiatives, excited by the potential of a technology tied to the creation of overnight digital millionaires.

But most of those initiatives died on the vine. And while none of the officials StateScoop spoke with said they oppose blockchain, they also seemed to lack confidence the technology would replace existing government processes any time soon. Social media is overrun by cryptocurrency and blockchain evangelists. Few, if any, of them work in government. ([Read complete article.](#))



New Jersey Adopts Legislation Requiring the Removal of Discriminatory Restrictive Covenants in Deeds and Association Documents

excerpted from [Riker Danzig 11/18/21](#)

On November 8, 2021, New Jersey Governor Phil Murphy signed legislation, A-5390/SB-2861, that requires the removal of discriminatory language restricting the ownership or use of real property as prohibited by the Law Against Discrimination from all deeds recorded on or after January 1, 2022, and further requires homeowners' or condominium associations to immediately review their governing documents and remove such language. Although these covenants already are illegal and unenforceable, the bill aims to remove them entirely. The bill took effect immediately.

The bill also requires a county clerk or a register of deeds and mortgages to refuse to accept any deed submitted for recordation that references the specific portion of any such restrictive covenant. Moreover, an attorney or title company preparing or submitting a deed for recordation must ensure that the specific portion of such a restrictive covenant is not specifically referenced in the deed prior to the deed being submitted for recordation, although the deed may include general provisions that the deed "is subject to any and all covenants of record."

Any deed that is recorded in the land records on or after January 1, 2022 that mistakenly contains such a restrictive covenant, however, shall nevertheless constitute a valid transfer of real property. ([Read complete article.](#))

Join us at PRIA's Winter Symposium February 14-17, 2022



Please consider joining PRIA colleagues across the country at PRIA's Winter Symposium – Celebrating the Past, Imagining the Future. The conference is slated for February 14-17, in Phoenix, AZ or you can attend virtually.

From general sessions to interactive breakouts and networking opportunities, the Winter Symposium Planning Committee is developing a **program** to address topical issues of vital importance to the property records industry including the latest on eNotary and how to be prepared when disaster strikes. **REGISTER HERE.**

PRIA's December Webinar: "SWOT Analysis of the Property Records Industry" - December 16, 3 PM, ET

Please join us for PRIA's December Webinar, "SWOT Analysis of the Property Records Industry" to be held on December 16, 2021 at 3 PM, ET.

SWOT analysis (Strengths, Weakness, Opportunities & Threats) is a familiar tool used by organizations to help assess current initiatives and plan future strategies. In this webinar, attendees will learn about current issues facing the property records industry today and what challenges (and threats) might be in store in the near future. This webinar is free for PRIA members and \$25 for non-members. You can register [here](#).

NIST Wants to Know How Government and Industry are Using Emerging Tech

excerpted from [Government Technology 11/23/21](#)

The National Institute of Standards and Technology (NIST) has published a request for information in the Federal Register to gain insight into the role of emerging technologies in the public and private sector. NIST will accept comments in response to the Nov. 22 request, which is titled “Study to Advance a More Productive Tech Economy,” through Jan. 31, 2022.

Information will be gathered from a combination of experts, members of the general public and other stakeholders to shape the approach these technologies could have in fostering economic growth. After the window closes, NIST will develop a report informed by the information detailing the findings to Congress.

The eight areas of emerging technologies that NIST is seeking comments on are artificial intelligence, Internet of Things, quantum computing, blockchain technology, new and advanced materials, unmanned delivery services, and 3D printing. ([Read complete article.](#))

Data's Role in the Mortgage Industry

excerpted from [DS News 12/5/21](#)

Conversations about data remain at an all-time high: big data, data management, data security—the list goes on. It’s key that organizations are using data the right way, as the misuse of data and analytics can lead to misinformed analyses and impact decision-making.

For mortgage lenders or anyone involved in the property records industry, it’s critical to understand the role data can and should play in the mortgage industry, as well as some of the potential challenges companies could face when working with data. ([Read complete article.](#))

ALTA NEWS - Ginnie Mae to Allow eSignatures, RON on Loan Mods

excerpted from [ALTA Advocacy Update](#), by Diane Tomb, ALTA CEO, 11/30/21

Due to the COVID-19 pandemic, Ginnie Mae announced it would permit the use of eSignatures and remote online notarization (RON) for loan modification agreements on paper mortgages.

According to the memorandum, the policy is effective immediately. All approved Ginnie Mae Issuers are permitted to use eSignatures when executing loan modification agreements provided that:

- The promissory note is a paper promissory note bearing a wet signature
- The electronically signed loan modification agreement complies with the recording jurisdiction’s recordation requirements
- The eClosing platform or other system(s) the Issuer uses to obtain and maintain borrowers’ electronic signatures on the loan modification agreement must follow the

regulation guidelines, listed on Ginnie Mae's website

- The electronically signed loan modification agreement is delivered to the Document Custodian in hard copy or via electronic transmission, bearing evidence of recordation.

Additionally, Ginnie Mae is allowing the use of RON for loan modification agreements subject to requirements outlined in their Digital Collateral Program Guide.

Any Other Topics You'd Like to See in the PRIA Local Newsletter? Please Contact us Anytime

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